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Security Council

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Resolution 1870 (2009)

Adopted by the Security Council at its 6116th meeting, on 30 April 2009

The Security Council,

Recalling all its resolutions and presidential statements concerning the situation in the Sudan,

Reaffirming its previous resolutions 1674 (2006) on the protection of civilians in armed conflict, which reaffirms, inter alia, the relevant provisions of the United Nations World Summit outcome document, 1612 (2005) on children in armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1325 (2000) and 1820 (2008) on women, peace, and security,

Taking note of the report of the Secretary-General on Sudan dated January 30, 2009 (S/2009/61), the report on Children and Armed Conflict in Sudan dated February 10, 2009 (S/2009/84), including his recommendations, and taking note of the report on Children and Armed Conflict in the Sudan (S/2007/520) dated 29 August 2007, and recalling the conclusions endorsed by the Security Council Working Group on Children and Armed Conflict in the Sudan S/AC.51/2008/7,

Reaffirming its commitment to the sovereignty, unity, independence, and territorial integrity of the Sudan and to the cause of peace throughout the region,

Commending the work of the United Nations Mission in Sudan (UNMIS) in support of the Comprehensive Peace Agreement (CPA), and commending the continuing commitment by troop and police contributing countries in support of this mission,

Stressing its firm commitment to the cause of peace and stability throughout Sudan and the region, *noting* the importance of the full implementation of the Comprehensive Peace Agreement of January 9, 2005 and *recognizing* that the CPA has reached a critical stage,

Encouraging all parties to continue to take positive action in order to consolidate and build upon the achievements since 2005 and reaffirming UNMIS' invaluable support for these efforts,

Condemning all acts and forms of violence perpetrated by any party that prevent or hinder peace and stability in Sudan and the region, and deploring its effect in particular on women and children,

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Stressing the importance of providing humanitarian assistance to the civilian populations throughout Sudan, in particular in the Three Areas after the events of March 4 and 5 2009, and for implementation of the CPA, and *taking note* of the joint assessment being conducted in the Three Areas and the need for continued cooperation between the Government of Sudan, the United Nations and humanitarian organizations,

Commending the continuing work of the Assessment and Evaluation Commission (AEC),

Recalling the commitment of the international community to support the CPA process, including through development assistance, and urging donors to support implementation of the CPA and to honour all pledges of financial and material support,

Recalling the importance of free and fair elections, including the planned national elections, for national reconciliation, consolidation of democracy, and the restoration of peace and stability,

Noting with deep concern the inability to reach agreement on the funding of the Abyei Interim Administration thereby preventing it from reducing political instability and insecurity in the Abyei region,

Welcoming increased cooperation among UNMIS, the UN Mission in the Democratic Republic of the Congo (MONUC), the UN Mission in Darfur (UNAMID), and the UN Mission in the Central African Republic and Chad (MINURCAT), and looking forward to the sharing of information among them to help counter regional threats such as the LRA,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of UNMIS until April 30, 2010, with the intention to renew it for further periods as may be required;

2. *Requests* the Secretary-General to report to the Council every three months on the implementation of the mandate of UNMIS, progress on implementation of the CPA, and respect for the ceasefire, and to provide an assessment and recommendations on measures UNMIS might take to further support elections and advance the peace process;

3. *Welcomes* the military capability review conducted into UNMIS' deployment, stresses the importance of appropriate and flexible deployment of UNMIS in order to address the most likely points of conflict, in particular in areas where civilians are under threat of violence, and requests regular reviews of deployment and implementation of recommendations to ensure that the force is best placed to support the implementation of the CPA;

4. *Stresses* the importance of full, and expeditious implementation of all elements of the CPA, implementation of the Abyei Roadmap, agreements on Darfur, and the October 2006 Eastern Sudan Peace Agreement, and calls upon all parties to respect and abide by their commitments to these agreements without delay;

5. *Welcomes* the parties' sustained commitment to work together in the Government of National Unity (GNU) and urges the continued cooperation of the

National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) in carrying out their responsibilities in further implementing the CPA;

6. *Stresses* the critical role of the AEC in overseeing and reporting on implementation of the CPA; and urges all parties to cooperate fully with the AEC and implement its recommendations;

7. *Calls for* all parties to cooperate with full and unrestricted access to UNMIS in monitoring and verification of the Abyei region, without prejudice to the final agreement on the Abyei boundaries, and urges UNMIS, consistent with its current mandate and within its means and capabilities, to consult with the parties, and to deploy, as appropriate, sufficient personnel to the Abyei region to improve conflict prevention efforts and security to the civilian population;

8. *Welcomes* the parties agreement to submit the Abyei boundary dispute to the Abyei Arbitration Tribunal at the Permanent Court of Arbitration for resolution; *calls upon* the parties to abide by and implement the Tribunal's decision on the final settlement of the Abyei boundary dispute; urges the parties to reach agreement on providing the funding of the Interim Administration in accordance with the CPA; and urges all parties to redeploy their military forces away from the disputed 1 January 1956 border;

9. *Welcomes* the completion of the enumeration phase and technical analysis of the national census; expresses concern about the delay in announcing the results; and *urges* the parties to reach agreement expeditiously on the 2008 national census results in a way that does not increase tensions;

10. *Urges* all Sudanese parties to continue to demonstrate their full commitment to the democratic process by preparing expeditiously for the conduct of peaceful, transparent, and credible elections in February 2010 as recommended by the NEC;

11. *Requests* UNMIS, consistent with its mandate and within its current capabilities, to support the NEC in preparing for credible national elections, including through provision of assistance and advice, as required, with security preparations and coordinating UN election support efforts in close collaboration with UNDP, and ensuring that UNMIS' efforts are complementary to those of the international community and the parties to the CPA, and urges the international community to provide technical and material assistance, including electoral observation capacity as requested by the GNU, to support credible elections;

12. *Recalls* the CPA's provision for referenda, including the parties' responsibility to pursue efforts to make unity attractive, and reaffirming UNMIS' support for these efforts, requests that UNMIS be prepared to provide assistance to the parties, if requested, to support preparations for a Referendum in 2011;

13. *Expresses its concern* for the health and welfare of the civilian populations in Sudan; calls upon the parties to the CPA and the communiqué signed between the United Nations and the GNU in Khartoum on 28 March 2007 to support, protect and facilitate all humanitarian operations and personnel in the Sudan; and urges the Government of Sudan to continue working with the United Nations to support the three track approach delineated by the Secretary-General to ensure continuity of humanitarian assistance;

14. *Requests* UNMIS to make full use of its current mandate and capabilities to provide security to the civilian population, humanitarian and development actors and UN personnel under imminent threat of violence as stated in resolution 1590 (2005), stresses that this mandate includes the protection of refugees, displaced persons and returnees, and emphasizes in particular the need for UNMIS to make full use of its current mandate and capabilities with regard to the activities of militias and armed groups such as the Lord's Resistance Army in Sudan, as stated in resolution 1663 (2006);

15. *Deplores* the persistent localized conflict and violence and its effect on civilians, especially within Southern Sudan, and the continuing potential for violence and calls upon UNMIS to strengthen its conflict management capacity by completing as soon as possible its integrated strategy to support local tribal conflict resolution mechanisms in order to maximize protection of civilians; welcomes the development of a comprehensive strategy on the protection of civilians and encourages UNMIS to continue and complete its work on the strategy in a timely manner; and calls again upon UNMIS, consistent with its current mandate and capabilities, to pro actively conduct patrols in areas at high risk of localized conflict;

16. *Notes* that conflict in one area of Sudan affects conflict in other areas of Sudan and in the region, and therefore urges UNMIS, consistent with its current mandate, to cooperate closely with all UN entities operating in the region, including the AU-UN Joint Mediation Support Team and other stakeholders, so that implementation of these bodies' mandates supports the overall objective of peace in Sudan and the region;

17. *Requests* UNMIS, acting within its current mandate and within its current means and capabilities, to provide technical and logistical support to the Technical ad hoc Border Committee, as requested, to help the parties urgently conclude the process of demarcation of the 1956 North/South border, in accordance with the CPA;

18. *Stresses* the important role of the JIUs for the full implementation of the CPA, calls upon the Joint Defense Board to exercise command, control and management of the JIUs; requests UNMIS to explore ways to support Sudanese efforts to build JIU capabilities, and urges donors to offer support, both materiel and training, coordinated by UNMIS in consultation with the Joint Defense Board, to enable the full establishment and operational effectiveness of JIUs and JIPUs as soon as possible;

19. *Encourages* UNMIS, consistent with its mandate, and within authorized levels of civilian police, to continue efforts to assist the parties to the CPA in promoting the rule of law, restructuring the police and corrections services throughout Sudan, assisting in the training of civilian police and corrections officers;

20. *Encourages* the parties to undertake a prioritized roll-out of disarmament, demobilization, and reintegration (DDR) in all states, and requests UNMIS to work closely with the Sudanese Armed Forces (SAF) and the Sudan Peopie's Liberation Army (SPLA) to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of DDR under the CPA;

21. *Further* urges donors to respond to calls for assistance to the DDR process, in particular the reintegration phase, and calls on donors to honour their obligations and pledges made at the Oslo Donors' Conferences of 2005 and 2008;

22. *Requests* UNMIS, consistent with its mandate and in coordination with the relevant parties and taking into account the need to pay particular attention to the protection, release and reintegration of children recruited to and participating with armed forces and armed groups, to increase its support for the National DDR Coordination Council and the Northern and Southern DDR Commissions with special emphasis on reintegrating such children with their families, and to monitor the reintegration process;

23. *Welcomes* the continuing organized return of internally displaced persons and refugees to the Three Areas and southern Sudan, and encourages the promotion of efforts, including the provision of necessary resources to the Office of the United Nations High Commissioner for Refugees and implementing partners, to ensure that such returns are voluntary and sustainable; and requests UNMIS, within its current mandate, capabilities and areas of deployment, to coordinate with partners to facilitate sustainable returns, including by helping to establish and maintain the necessary security conditions;

24. *Calls upon* the GNU to cooperate fully with all the United Nations operations within its territory in the implementation of their mandates;

25. *Reiterates* its concern over the restrictions and impediments placed on UNMIS personnel and materiel, and the adverse impact such restrictions and impediments have on UNMIS' ability to perform its mandate effectively and on the ability of the humanitarian community to reach affected persons; and calls in this regard for all parties to cooperate fully with UNMIS and to facilitate the performance of its mandate, and to abide by their obligations under international humanitarian law;

26. *Stresses* the importance of achievable and realistic targets against which the progress of UN peacekeeping operations can be measured; in this regard, requests the Secretary-General to develop benchmarks for measuring and tracking progress in the implementation of UNMIS mandate; further requests the Secretary-General to include in his next quarterly report an assessment of progress made against these benchmarks, as well as any consequent recommendations regarding UNMIS' configuration;

27. *Underscores* the importance that the military concept of operations and rules of engagement be regularly updated and be fully in line with the provisions of the UNMIS mandate under relevant Security Council resolutions, requests the Secretary-General to report on them to the Security Council and Troop Contributing Countries, and to provide the Security Council, with the same regularity as referred to in paragraph 2, with a specific update on the security situation;

28. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance by UNMIS with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed, and urges troop contributing countries to take appropriate preventive action including redeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

29. *Decides* to remain actively seized of this matter.